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Attorneys for the Association of California Water Agencies
Joint Powers Insurance Authority

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA**

In re

PG&E CORPORATION,

and

PACIFIC GAS AND ELECTRIC
COMPANY,

Debtors.

- ☐ Affects PG&E Corporation
☐ Affects Pacific Gas and Electric Company
☒ Affects both Debtors

*All papers shall be filed in the Lead Case,
No. 19-30088-DM.

Case No. 19-30088-DM

Chapter 11
Lead Case, Jointly Administered

**DECLARATION OF JENNIFER
NOGOSEK IN SUPPORT OF MOTION
PURSUANT TO FED. R. BANKR. P.
9006(b)(1) TO ENLARGE THE TIME
FOR ACWA/JPIA TO FILE PROOF OF
CLAIM**

Date: February 26, 2020
Time: 10:00 a.m.
Place: 450 Golden Gate Avenue, Ctrm 17
San Francisco, CA 94102
Judge: Hon. Dennis Montali

Objection Deadline: February 19, 2020
4:00 p.m. (Pacific Time)

1 I, Jennifer Nogosek, hereby declare as follows:

2 1. I am over eighteen years of age, of sound mind, and fully-competent to make
3 this declaration. All statements in this declaration are based on my own personal knowledge
4 and observation and from my review of the court and business records in this case, or upon
5 information and belief as indicated. If called to testify on this matter, I can and would
6 competently testify to the matters set forth in this Declaration.

7 2. Since September 2015, I have been employed by the Association of California
8 Water Agencies Joint Powers Insurance Authority (“ACWA/JPIA”) as a Liability and
9 Property Claims Manager and working out of ACWA/JPIA’s offices in Roseville, California
10 near Sacramento.

11 3. ACWA/JPIA is a risk-sharing pool owned and governed by its member agencies
12 that formed in 1979 to provide risk-sharing pools. ACWA/JPIA maintains a property program
13 that is designed specifically for public water agencies. Like its members, ACWA/JPIA is a
14 special district subject to the California Government Code.

15 4. ACWA/JPIA provides pooled, reinsurance, and excess coverage protection to
16 members against liability for bodily injury, property damage, errors and omissions,
17 employment practices, fiduciary responsibilities products, and pollution. Infrastructure losses
18 are among the most frequent and costly casualty-related losses to ACWA/JPIA’s member
19 agencies, each of which is a California water utility.

20 5. One of ACWA/JPIA’s members is the Paradise Irrigation District—water utility
21 to the Town of Paradise devastated by a deadly and extremely destructive wildfire, the Camp
22 Fire, in November 2018. As a result of the Camp Fire, the Paradise Irrigation District
23 sustained sizeable losses, mostly from loss of and damage to infrastructure.

24 6. As a risk-sharing cooperative, ACWA/JPIA effectively insured fire-related
25 claims of its member, the Paradise Irrigation District, arising from the Camp Fire to the extent
26 of ACWA/JPIA’s \$350,000 retention. Various excess carriers are responsible for the loss to the
27 extent it exceeds \$350,000.

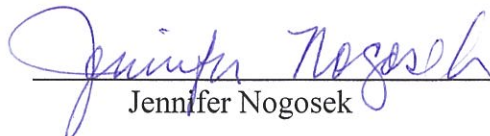
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1 7. In my capacity as a Liability and Property Claims Manager at ACWA/JPIA, I
2 am generally responsible for administering the claim for losses sustained by the Paradise
3 Irrigation District in the Camp Fire to the extent of ACWA/JPIA's \$350,000 insured retention.
4 I expect, as a general rule, that any pertinent notices or pleadings relating to the administration
5 of that claim would come to me. I do not recall ever seeing or receiving a notice of any claims
6 bar date in Debtors' bankruptcy cases. Prior to seeing a report on the news during the first or
7 second week of December 2019, I had no knowledge of any deadline, or bar date, for filing a
8 claim in Debtors' bankruptcy cases apart from the applicable California statute of limitations.
9 After seeing that news report, however, I proceeded to make inquiries.

10 8. I am generally unfamiliar with bankruptcy practices and procedures. I have not
11 been involved in the filing of any proof of claim in any bankruptcy case (prior to the \$350,000
12 claim referenced above). Additionally, I have never through my employment with
13 AWCA/JPIA or otherwise, pursued a subrogation claim that involved bankruptcy (again, prior
14 to the \$350,000 claim referenced above). To my knowledge, ACWA/JPIA has never sent a
15 demand or bill to the Debtors, or either of them, for its \$350,000 retention referenced above.

16 9. Although I am the person at ACWA/JPIA responsible for the administration of
17 the claim sustained by the Paradise Irrigation District as a result of the Camp Fire, I was not the
18 person at ACWA/JPIA responsible for the administration of any claims related to 2017's North
19 Bay wildfires generally or with respect to damages sustained in the Circle Oaks subdivision in
20 Napa County, specifically. Until mid-December 2019, ACWA/JPIA had engaged no legal
21 counsel with respect to its \$350,000 retention claim; I was working with ACWA/JPIA's
22 adjuster with respect to such claim, not any lawyers.

23 I declare under penalty of perjury pursuant to the laws of the United States of America
24 and the State of California that the foregoing is true and correct to the best of my knowledge
25 and belief. Executed this 27 day of December, 2019 in Roseville, California.

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Jennifer Nogosek